

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

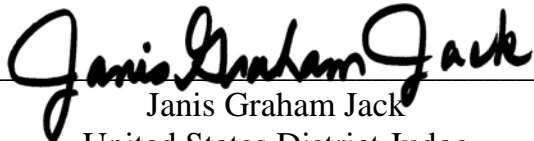
UNITED STATES OF AMERICA,	§	
Plaintiff-Respondent,	§	
	§	
v.	§	Cr. No. C-04-492
	§	(C.A. No. C-08-175)
JESSE VALDEZ,	§	
Defendant-Movant.	§	

ORDER DENYING AS UNNECESSARY MOTION FOR EXTENSION

Pending before the Court is Jesse Valdez's (Valdez) motion for extension of time. (D.E. 68). In it, he asks that he be given until September 1, 2008 to file a reply to the United States' response to his § 2255 motion. (D.E. 68 at 1.) The Court's initial order for the government to respond indicated that Valdez should file his reply not later than thirty days after service of the government's answer. (D.E. 64 at 2.) Because the government's response was not served upon him until August 5, 2008, and then by mail (giving Valdez an additional three days), Valdez has until September 8, 2008 to file his reply. See Fed. R. Civ. P. 6(d) (governing computation of time).

Accordingly, Valdez's request that he be given until September 1, 2008 is DENIED as unnecessary. As set forth in the Court's original order, Valdez shall file his reply not later than September 8, 2008.

ORDERED this 28th day of August, 2008.



Janis Graham Jack
United States District Judge